

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

DAMON CYRIL REVIS, Case No. 6:19-cv-1490-YY
Petitioner,

ORDER

v.

BRANDON KELLY, Superintendent, Oregon
State Penitentiary,

Respondent.

The Court has received notice that petitioner Damon Cyril Revis has passed away. Notice, ECF 41. Respondent has filed a Motion to Dismiss. ECF 42. Because petitioner is deceased, there is no remedy that he can obtain through this habeas action. *See McMann v. Ross*, 396 U.S. 118 (1969) (remanding to district court following the habeas petitioner's death "with directions to dismiss the petition for writ of habeas corpus as moot"). Accordingly, respondent's Motion to Dismiss (ECF 42) is GRANTED and this case is dismissed with prejudice.

IT IS SO ORDERED.

DATED April 30, 2021.

Michael W. Mosman
Michael W. Mosman
United States District Judge

ORDER